IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital: the 27th day of September, 2006
First Bail Application No. 892 of 2006

Criminal Side

Gurbhajan Singh
S/o Inder Singh
R/o Village Dinarpur
P.S. Pathari
District Haridwar …….. Applicant

Versus

State of Uttaranchal ……. Opposite Party

Arising out of Crime No. 48 of 2002
Under Sections: 302 I.P.C. & 3(1) (10) S.C. S.T. (Prevention of Atrocities) Act, 1989
P. S.: Pathri
District: Haridwar.

Hon'ble Prafulla C. Pant, J.

Heard Shri K.S. Verma, learned counsel for the applicant and Shri Amit Bhatt, learned A.G.A. for the State.

Applicant- Gurbhajan Singh, who are in jail in connection with crime No. 48 of 2002 relating to offences punishable under Section 302 I.P.C. and under Section 3(1) (10) S.C. S.T. (Prevention of Atrocities) Act, 1989. P.S. Pathri, District- Haridwar has sought his release on bail.

There is no mention of eyewitnesses in the First Information Report, who have seen the commission of crime. There is no enmity alleged in the report. Co-accused with similar role has already been granted bail by the Incharge Sessions Judge, in the year 2002.

In the above circumstances, it is fit case for bail. Let the applicant Gurbhajan Singh be released on bail on executing personal bond and furnishing two sureties, each of the like amount to the satisfaction of the Chief Judicial Magistrate Haridwar.

(Prafulla C. Pant, J.)

Dt. 27.09.2006
S